

REMARKS

Applicants have thoroughly considered the Examiner's remarks in the April 9, 2007 Office action and respectfully request reconsideration of the application. Claims 1-34 are presented in the application for further examination. Remarks have been set forth below to place the application in better condition for appeal by simplifying the issues and identifying deficiencies in the April 9, 2007 Office action.

In particular, the Office has failed to address each and every element of the claims, let alone establish a case of prima facie anticipation. The applied art of Polizzi is directed to data retrieval to create reports. Aspects of the present invention are directed to storing, or logging, incoming data according to certain conditions present in the data and other factors. For example, independent claim 26 is directed in part to the receipt of clickstream data and a determination of a relationship between a user navigation path and the received clickstream data. Polizzi is entirely silent as to these features, and others, in independent claim 26. The Examiner must identify convincing support within Polizzi for the anticipation rejection of claim 26 or remove the rejection of claim 26.

Claim Rejections Under 35 U.S.C. §102(b)

Claims 1-34 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Appl. No. 2002/0023158 to Polizzi et al. (Polizzi). Applicants respectfully submit that the Office has failed to set forth a prima facie case of anticipation because each and every element in the claims is not taught or suggested by the cited art.

Regarding independent claims 1, 16, and 21, Applicants disagree with the Office's incorrect application of the cited art. For example, while some of the claim terms appear in the cited art, the mere appearance of these claim terms in the cited art is insufficient to anticipate the claim. Rather, each of the claim elements that include the claim terms must be taught or suggested by the cited art. Even when giving claims 1, 16, and 21 their broadest reasonable construction in light of the specification as it would be interpreted by one of ordinary skill in the art, Applicants submit that each and every claim element in independent claims 1, 16, and 21 is neither taught nor suggested by the cited art.

For example, independent claims 1, 16, and 21 recite the storage of received data in accordance with an expression (including in configuration information) evaluated based on a condition associated with the received data. Although the words "configuration" and "condition" appear in Polizzi, the context in which Polizzi uses these words is different from that of claim 1 and the use of these words in Polizzi is not relevant or related to the use of these words in claim 1. In Polizzi, configuration data about service agents in a database is maintained (Polizzi, paragraph [0037]). But this disclosure in Polizzi cannot be considered relevant to claims 1, 16, and 21, which involve organizing data prior to storing the data. By configuring data before storage, Applicants can divide data into different logical and more manageable portions. This is particularly helpful when tracking voluminous web usage, or clickstream, information. For example, accessing configuration information permits Applicants to define a specific user navigation path (e.g., as an expression). Evaluating the expression allows the data to be organized and stored according to a desired relationship between the navigation path and data, which significantly improves the usefulness of this data.

Additionally, exception conditions are discussed in paragraph [0005] of Polizzi and elsewhere. However, these exception conditions of Polizzi indicate when an element of a report is out of range. It is unreasonable to rely on the exception conditions of Polizzi as the basis for an anticipation rejection of claims 1, 16, and 21 with respect to evaluating the expression based on an associated condition. The exception conditions of Polizzi do not relate, let alone anticipate, the limitations in claims 1, 16, and 21.

The Polizzi reference discloses storing jobs in a repository (Polizzi, FIG. 3), but that alone is insufficient to support a rejection of claims 1, 16, and 21. Applicants request that the Examiner provide a convincing line of reasoning for the rejection of these claims, or remove the rejections.

Independent claim 26 recites, in part, an expression defining a specific user navigation path, the receipt of clickstream data, a condition associated with the received clickstream data, a determination of a relationship between the user navigation path and the clickstream data, and storage of the clickstream data based on the determined relationship. The Examiner relies entirely on Polizzi to reject claim 26, but Polizzi fails to teach or suggest any of these limitations. The Examiner refers to paragraph [0025] and web server (105) in rejecting claim 26, yet these portions of Polizzi are completely unrelated to the above limitations in claim 26. Polizzi is

entirely silent as to the elements of claim 26. The Examiner's reliance on a reference which makes no mention of the above claim terms, concepts, or their equivalents is unreasonable. Accordingly, Applicants contend that the rejection of claim 26 cannot stand. The Examiner must identify a convincing line of reasoning used to reject claim 26 or remove the rejection.

Applicants submit that the Examiner has failed to set forth a prima facie case of anticipation, and accordingly believe that claims 1, 16, 21, and 26 are patentable over the cited art. The rejection of these claims in view of Polizzi should be removed. Polizzi is not apt, and not enabling at the very least for the claim limitations of claim 1, 16, 21, and 26.

The claims depending from independent claims 1, 16, 21, and 26 further limit the claims from which they depend. Accordingly, Applicants submit that the dependent claims are patentable for least the same reasons that the independent claims from which they depend are patentable.

Aspects of the invention as claimed enable data to be logged based on information that is configurable dynamically according to the evaluated expression. Advantageously, aspects of the invention significantly improve post-storage queries by only storing relevant data. The received data is pre-filtered per configuration information to minimize downstream processing and to enable data sampling prior to storage of the data. (Application, paragraph [0007]).

Conclusion

Applicants submit that the claims are allowable for at least the reasons set forth herein. Applicants thus respectfully submit that claims 1-34 as presented are in condition for allowance and respectfully request favorable reconsideration of this application.

Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited aspects of the invention. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

Applicants wish to expedite prosecution of this application. If the Examiner deems the application to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the application in condition for allowance.

The Commissioner is hereby authorized to charge any deficiency or overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

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